

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

JAMES D. LAMMERS,
Petitioner,

v.

Case No. 13-cv-0028

STATE OF WISCONSIN,
Respondent.

ORDER

James Lammers filed a petition for a writ of habeas corpus under 28 U.S.C. § 2254 in January 2013. I denied the petition, finding that petitioner's claims were time-barred and that he had not shown grounds for equitable tolling. Petitioner has filed a motion for reconsideration. Having reviewed the request for reconsideration, I see no basis for reconsidering my order denying the petition.

Petitioner attempted to show grounds for equitable tolling by arguing that the Wisconsin Department of Corrections ("DOC") prevented him from filing a federal habeas petition between September 12, 2006 and January 9, 2013. I addressed this argument in my original order denying the petition, concluding that despite petitioner's assertions that the state prevented him from filing a federal habeas petition, he filed three separate petitions between 2006 and 2013. Petitioner argues in his reconsideration motion that although he was able to file these petitions, the DOC continued to threaten and harass him in various ways in retaliation for doing so. This information does not change my conclusion that petitioner has failed to show grounds for equitable tolling of the one-year limitation period because despite his assertion that the DOC prevented him from filing, he was still able to file three separate federal habeas petitions during the time in question.

THEREFORE, IT IS ORDERED that the motion for reconsideration (ECF No. 31) is **DENIED**.

Dated at Milwaukee, Wisconsin this 29th day of January, 2015.

s/ Lynn Adelman

LYNN ADELMAN
District Judge